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7 *as Legal Title Trustee*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 USROF III LEGAL TITLE TRUST 2015-1, BY  
11 U.S. BANK NATIONAL ASSOCIATION, AS  
12 LEGAL TITLE TRUSTEE,

13 Plaintiff,

14 vs.

15 SATICOY BAY LLC, SERIES 5526  
MOONLIGHT GARDEN STREET

16 Defendants.  
17

Case No.: 2:16-cv-01346

**STIPULATION AND ORDER TO  
ALLOW ADDITIONAL PRODUCTION  
OF DOCUMENTS AND DISCOVERY  
RESPONSES OUTSIDE THE CLOSE OF  
DISCOVERY AND RE-SET THE  
DISPOSITIVE MOTION DEADLINE  
DATE [SECOND REQUEST]**

18 Plaintiff, USROF III Legal Title Trust 2015-1, by U.S. Bank National Association, as  
19 Legal Title Trustee (“Plaintiff” or “U.S. Bank”), and Defendant Saticoy Bay, LLC, Series 5526  
20 Moonlight Garden Street, (“Defendant” or “Saticoy Bay”), hereby state and stipulate as follows:

- 21
- 22 1. Discovery closed March 26, 2018. [ECF No. 30.]
  - 23 2. The dispositive motion deadline was April 25, 2018. Id.
  - 24 3. In light of certain discovery disagreements, but continued efforts to work together and  
25 provide additional production and discovery responses, the parties stipulated allowing  
26 production outside the close of discovery, up to April 25, 2018, also extending the  
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1       dispositive motion deadline to May 25, 2018. Said stipulation was adopted by this Court.  
2       [ECF No. 38].

3       4. Saticoy Bay filed a Motion to Compel Plaintiff's Discovery Responses and for Costs  
4       Incurred [ECF No. 31], which matter came on for hearing before this Court on April 6,  
5       2018. [ECF No. 39].

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7       5. Per the Minute Order issued by this Court, for any further disagreements, the parties are  
8       to submit a letter to this Court, and the Court may have a telephonic conference, set a  
9       hearing, or issue Minute Order ruling, as this Court deems fit. Id.

10      6. To date, the following discovery was conducted:

11       a. Saticoy Bay issued their initial list of documents and witnesses on February 21,  
12       2017;

13  
14       b. U.S. Bank issued their initial list of documents and witnesses on March 1, 2017;

15       c. Saticoy Bay served their initial written discovery requests on U.S. Bank on March 7,  
16       2017;

17       d. U.S. Bank issued their expert disclosure on June 9, 2017;

18       e. Saticoy Bay issued their rebuttal expert disclosure on July 7, 2017;

19       f. U.S. Bank issued their initial written discovery requests on Saticoy Bay on  
20       November 22, 2017;

21       g. U.S. Bank answered Saticoy Bay's first set of requests for admissions on November  
22       28, 2017;

23       h. U.S. Bank issued a Subpoena Duces Tecum on the HOA Trustee, Nevada  
24       Association Services on December 8, 2017;

- i. U.S. Bank issued a Subpoena Duces Tecum on the HOA, Timber Creek HOA on December 8, 2017
- j. U.S. Bank issued their first supplement to their list of witnesses and documents on December 21, 2017.
- k. Saticoy Bay issued written responses to U.S. Bank's first set of written discovery requests on January 4, 2018;
- l. U.S. Bank conducted the deposition of the 30(b)(6) designee for the HOA on January 30, 2018;
- m. U.S. Bank issued their second supplement to their list of witnesses and documents on January 30, 2018;
- n. U.S. Bank answered Saticoy Bay's first set of interrogatories and requests for production on February 1, 2018;
- o. U.S. Bank issued their third supplement to their list of witnesses and documents on February 1, 2018;
- p. U.S. Bank conducted the deposition of the 30(b)(6) designee for the HOA Trustee on February 26, 2018;
- q. U.S. Bank issued amended responses to Saticoy Bay's requests for admissions on March 21, 2018;
- r. U.S. Bank issued their fourth supplement to their list of witnesses and documents on March 21, 2018;
- s. U.S. Bank issued their first supplement to their responses to Saticoy Bay's request for production of documents on March 26, 2018;

- 1 t. U.S. Bank issued their fifth supplement to their list of witnesses and documents on  
2 March 28, 2018;
- 3 u. U.S. Bank conducted the deposition of the 30(b)(6) designee for the Saticoy Bay on  
4 April 13, 2018; and
- 5 v. U.S. Bank issued their second supplement to their responses to Saticoy Bay's first set  
6 of interrogatories on April 24, 2018.
- 7
- 8 7. After review of the supplemental productions and discovery responses, Saticoy Bay  
9 requested certain documents, clarifications and more detailed privilege logs regarding  
10 certain documents.
- 11
- 12 8. Although the parties disagree on certain documents, on certain documents they do agree.  
13 Despite very diligent efforts, U.S. Bank will not be able to produce all agreed upon  
14 additional discovery production prior to the April 25, 2018, deadline.
- 15
- 16 9. There are certain documents which the parties cannot agree on and they wish to exercise  
17 the option of submitting a letter to this Court to address the disputed items.
- 18
- 19 10. The parties are actively working to draft a joint letter for this Court's review.
- 20
- 21 11. Despite efforts that are both diligent and cooperative on the part of both parties, the  
22 parties will not be able to either produce or resolve all their differences prior to the  
23 current April 25, 2018 deadline; therefore,

24 THE PARTIES HEREBY STIPULATE that the parties may supplement production and  
25 discovery responses an additional 45 days, up to **Monday June 11, 2018**;<sup>1</sup>

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<sup>1</sup> 45 days from 4/25/2018 is Saturday June 9, 2018.

1 THE PARTIES FURTHER STIPULATE that in light of the extension of production, the  
2 dispositive motion deadline date will also be moved 30 days from the last date of production to  
3 **Wednesday July 11, 2018.**

4  
5 It is so stipulated:

6 DATED: April 25, 2018.

7 WRIGHT, FINLAY & ZAK, LLP

8  
9 /s/ Corrine P. Murphy  
10 Dana Jonathan Nitz, Esq.  
11 Nevada Bar No. 0050  
12 Corrine P. Murphy, Esq.  
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17 *Title Trust 2015-1, By U.S. Bank National*  
18 *Association, as Legal Title Trustee*

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It is so stipulated:

DATED: April 25, 2018.

LAW OFFICES OF MICHAEL F. BOHN,  
ESQ., LTD

/s/ Nikoll Nicki  
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1 *USROF III Legal Title Trust 2015-1, by U.S. Bank National Association, as Legal Title Trustee*  
2 *v. Saticoy Bay LLC, Series 5526 Moonlight Garden Street*  
3 Case No.: 2:16-cv-01346

4 **ORDER**

5 IT IS SO ORDERED.

6 Dated April 26, 2018.

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9 \_\_\_\_\_  
10 UNITED STATES MAGISTRATE JUDGE

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14 Respectfully submitted by:

15 WRIGHT, FINLAY & ZAK, LLP

16 /s/ Corrine P. Murphy

17 Dana Jonathan Nitz, Esq.

18 Nevada Bar No. 0050

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